

PATENT COOPERATION TREATY


PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 26 APR 2006
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Applicant's or agent's file reference SCGCP6259964	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/GB2004/004948	International filing date (day/month/year) 24.11.2004	Priority date (day/month/year) 24.11.2003
International Patent Classification (IPC) or national classification and IPC INV. G08G1/123		
Applicant ROLLS-ROYCE PLC et al.		
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> sent to the applicant and to the International Bureau) a total of 10 sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>		
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>		
Date of submission of the demand 23.09.2005	Date of completion of this report 25.04.2006	
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Coffa, A Telephone No. +49 89 2399-7107	



**INTERNATIONAL PRELIMINARY REPORT
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International application No.
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Box No. I Basis of the report

1. With regard to the **language**, this report is based on

- ☒ the international application in the language in which it was filed
- ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3(a) and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4(a))
 - ☐ international preliminary examination (under Rules 55.2(a) and/or 55.3(a))

2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):*

Description, Pages

1-44 as originally filed

Claims, Numbers

1-68 filed with telefax on 23.09.2005

Drawings, Sheets

1/3-3/3 as originally filed

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing *(specify):*
- ☐ any table(s) related to sequence listing *(specify):*

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing *(specify):*
- ☐ any table(s) related to sequence listing *(specify):*

* If item 4 applies, some or all of these sheets may be marked "superseded."

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-68
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	1-68
Industrial applicability (IA)	Yes: Claims	1-68
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

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1. The documents D2, D3 were not cited in the international search report. Copies of the documents are appended hereto.

D2 : US2002/0134836

D3 : WO 03/075216

2. Claim 1

The document D1 discloses all technical features (the references in parentheses applying to this document) except feature (a):

A method for assisting the passage of an entity,

(a) the entity being a person, through successive zones to a destination including the steps of

associating an identifier with said entity (figure 7, mail piece ID);

creating a plurality of required incidents for said entity, each required incident having a place reference and a time reference associated with it, the required incidents including a final incident for which the place reference is the destination and the time reference is a predetermined time; (figure 8(426))

at intervals, detecting the presence of said entity in one of said zones and the time of said presence, thereby generating a match; (figure 8(428))

registering correspondences between the matches thus— generated and said required incidents; and generating an alert for the entity when the time reference for a required incident is reached and that incident does not have a corresponding match (figure 8(432,434,436,438)).

Therefore the subject matter of claim 1 of the present application is **considered to be novel (Article 33(2) PCT)**.

However merely the fact the fact that a person is tracked instead of an object as indicated by feature (a) of claim 1 cannot define an inventive contribution (Article 33(3) PCT).

Furthermore the systems according to D2 and D3 solve essentially the same problem
:

" generate an alert if the object is not detected in a particular zone by the time at which they are supposed to have passed through that zone "

using the same solution as the system according to the application :

" track the progress of a person through successive zones to a destination "

In D2 (page 1, paragraphs 5,6,8) a tag is associated with an object and subsequently this object is tracked, the object being a luggage item . There is no inventive step involved (article 33(3) PCT) to attach this tag to a person instead of a luggage item.

In D3 (figure 1, page 16, lines 1-8) discloses the use of a tag and tag interrogation system to determine the location of a passenger (thus a person) at a certain time and compares this with a departure time. In case the passenger is too far removed from the departure gate to arrive in time an alert is generated.

Concluding, the systems according to D1-D3 solve essentially the same problem using a similar solution as the method according to claim 1 of the application and therefore can **not considered to involve an inventive step (article 33(3) PCT)**.

3. Claim 38

Claim 38 is merely the corresponding system claim of method claim 1 and therefore **cannot be considered inventive (Article 33(3) PCT)**.

4. Claims 2-38, 39-68

Dependent claims 2-38, 39-68 do not contain any additional features which, in combination with the features of any claim to which they refer, meet the requirements

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of the PCT with respect to **inventive step** (Article 33(3) PCT) because they are considered to be obvious for the person skilled in the art of object tracking systems.